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10/018,780	03/11/2002	Fabrice Rouillier	017346-0172	1665

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EXAMINER

TSAI, HENRY

ART UNIT	PAPER NUMBER
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2183

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/018,780

Applicant(s)

ROUILLIER ET AL.

Examiner

Henry W.H. Tsai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/21/02.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 8-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-7, and 13 is/are rejected.
- 7) ☒ Claim(s) 2, 3 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/21/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Claim Objections

1. Claims 8-12 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 8-12 have not been further treated on the merits.

2. Claims 1-7, 13, and 14 are objected to because of the following informalities:

In claim 1, lines 11, 14, and 16, "the said" should read -said-. Similar problems exist in the other claims 2-7, 13, and 14.

In claim 1, lines 5 and 10, "*" should be deleted. Similar problems exist in the other claims 2, and 14.

In claim 2, line 19 "deducing" should read -to deduce-;
and, in line 23, "replacing" should read -to replace-.

Appropriate correction is required.

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Specification

3. The disclosure is objected to because of the following informalities:

at page 9, line 9, " $M_{1,k,n}(E)$ " should read - $M_{1,k,n}(E)$ -;

at page 11, line 17, " $\Phi_{2,k,n}(m_{2,k,n}(E))$ " should read -

" $\Phi_{2,k,n}(M_{2,k,n}(E))$ -;

at page 11, lines 10 and 11, it is not clear what are meant by " k_1 "; " k_2 "; " n_1 "; and " n_2 ". A definition for each of them is required; and

At page 25, line 19, "external" should read -internal-.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 4-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Regarding claim 4, the phrase "in particular" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Regarding claim 6, line 5; and claim 7, line 4, the phrase "and/or" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

In claim 7, lines 3-5, it is not clear what is meant by "numbers n_i of words which are different and/or of words of number k_i of bits which are different" since

(a) n_i and k_i are not well defined;

(b) "and/or of words of" is not meaningful;

(c) "words which are different" is not understandable. What is different from the words? Similarly, in line 5 "bits which are different"; and in line 8-9, "symbols which are different" are not understandable.

In general, the claims are not in proper idiomatic English as a result of the translation. Applicant is requested to re-write the claims in accordance with U.S. standards.

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Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by O'Shea et al. (U.S. Patent No. 6,189,045) (hereafter referred to as O'Shea et al.'045).

Referring to claim 1, O'Shea et al.'045 discloses, as claimed, data conversion device (10, see Fig. 3), intended to work on primary elementary data items (the data in one data type sent from data producer 14, see Fig. 3 and Col. 4, lines 29-31)

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individually coded according to a first arrangement of words
(the format of data sent from data producer 14, see Fig.3),
characterized in that it comprises: storage means (producer data
type database 32, see Fig. 3 and Col. 4, lines 59-60) for
storing a first set of symbols (such as the symbols of the
language sent from data producer 14, see Fig.3), all different
(such as all different vocabularies of the language sent from
data producer 14, see Fig.3), forming a representation of the
said first arrangement and a second set of symbols (such as the
symbols of the language to be converted and to be sent to data
consumer 12, see Fig.3), all different (such as all different
vocabularies of the converted language sent to data consumer 12,
see Fig.3), forming a representation of a second arrangement of
words (such as the format of the converted data sent to data
consumer 12, see Fig.3), and an operator (conversion manager 18,
see Fig. 3) devised so as to receive as input a primary
elementary data item, as well as the said first (such as the
symbols of the language sent from data producer 14, see Fig.3)
and second (such as the symbols of the language to be converted
and to be sent to data consumer 12, see Fig.3) sets of symbols,
and so as to perform on this primary elementary data item, word
transformations defined solely by the said first and second sets
of symbols in such a way as to output a corresponding secondary

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data item (such as the converted language sent to data consumer 12, see Fig. 3) equivalent to the said primary elementary data item (such as the language sent from data producer 14, see Fig.3).

Referring to claim 13, O'Shea et al.'045 discloses, as claimed, process for converting primary elementary data items (the data in one data type sent from data producer 14, see Fig. 3 and Col. 4, lines 29-31) individually coded according to a first arrangement of words (the format of data sent from data producer 14, see Fig.3), characterized in that it comprises the following steps:

a) providing a first set of symbols (such as the symbols of the language sent from data producer 14, see Fig.3), all different (such as all different vocabularies of the language sent from data producer 14, see Fig.3), forming a representation of the said first arrangement and a second set of symbols (such as the symbols of the language to be converted and to be sent to data consumer 12, see Fig.3), all different (such as all different vocabularies of the converted language sent to data consumer 12, see Fig.3), forming a representation of a second arrangement of words and,

b) receiving (by conversion manager 18, see Fig. 3) a primary elementary data item, as well as

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the said first (such as the symbols of the language sendt from data producer 14, see Fig.3) and second (such as the symbols of the language to be converted and to be sent to data consumer 12, see Fig.3) sets of symbols, and

c) performing (by conversion engine(s) 30, see Fig. 3) on this primary elementary data item (the data in one data type sent from data producer 14, see Fig. 3 and Col. 4, lines 29-31), word transformations defined solely by the said first and second sets of symbols in such a way as to output a corresponding secondary data item (such as the converted language sendt to data consumer 12, see Fig. 3) equivalent to said primary elementary data item (such as the language sent from data producer 14, see Fig.3).

Allowable Subject Matter

8. Claims 4-7 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, and objections, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

9. Claims 2, 3, and 14 would be allowable if rewritten to overcome the objections, set forth in this Office action and to

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include all of the limitations of the base claim and any intervening claims.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Allen'625 discloses a computer system for engineering firm, has data converter that is responsive to specific immediate request from application, which requires data to be expressed in different data type, for particular data.

Schneier et al.'382 discloses remote auditing of computer generated outcomes using cryptographic and other protocols - allows person playing game on computer to submit outcome to central authority who then certify that outcome has been accurately reported and fairly achieved.

Contact Information

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Henry Tsai whose telephone number is (703) 308-7600. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful,

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the examiner supervisor, Eddie Chan, can be reached on (703) 305-9712. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2100 receptionist whose telephone number is (703) 305-3900.

12. In order to reduce pendency and avoid potential delays, Group 2100 is encouraging FAXing of responses to Office actions directly into **the Group at fax number: 703-872-9306.**

This practice may be used for filing papers not requiring a fee. It may also be used for filing papers which require a fee by applicants who authorize charges to a PTO deposit account. Please identify the examiner and art unit at the top of your cover sheet. Papers submitted via FAX into Group 2100 will be promptly forward to the examiner.



HENRY W. H. TSAI
PRIMARY EXAMINER

September 28, 2004